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## STRONG MOVEMENT TO ABOLISH GRAND JURIES

Minnesota the First State To Take Decisive  
Action. If Practicable Other States  
May Follow Example.

## EXPOSING OF THE PUBLIC LANDS FRAUDS

Press Comments on Administration of Public Lands In  
Various States. Charges Against United States  
Senator Mitchell. Slap At Island Grown Pineapples.

Legal experts and others have for some time past been broaching the subject of abolition of the grand jury system, but it has remained for Minnesota to take a decided step in the matter. The voters of that State, by a majority of 121,000, have adopted a constitutional amendment abolishing the grand jury and empowering the state legislature to provide some other means of investigating cases and bringing persons before the courts for trial. The legislature will carry the popular idea into effect. The newspapers, who they are inclined to wait and see how the scheme works, are of the opinion that it will be productive of better results. It is recalled that some years ago the United States Supreme Court decided that a State had the power to do away with the grand jury system, and it is believed that other States may follow Minnesota if the plan proves worthy. The Boston Transcript remarks:

"The grand jury is an institution as old as Anglo-Saxon civilization, and prevails practically everywhere under the English law except now in Minnesota and in Scotland. All the United States adopted it when their governments were framed, and Minnesota is the first, although perhaps not the last, to do away with it. For many years the grand jury has been a mere appendage to the office of district attorney or public prosecutor. A grand jury, as originally formed, tried no question and found no verdict. The proper authority for the Government brings before it a case of supposed crime or wrong and a bill of indictment, and presents ex parte testimony on the subject. If the grand jury approves, it finds 'a true bill' and presents the case to the court. But the grand jury has a wider function than this, although it is so commonly disregarded that in almost every case the jury considers only evidence brought before it. It may, on its own initiative, present to the court any public wrongs which it thinks should be brought to the attention of a tribunal. It is the failure of the grand jury to act in this respect that has made it generally a mere auxiliary of the public prosecutor.

"In adopting a new method of procedure the legislature will of course be bounded by the constitutional limits guarding the rights of individuals, but these are ample without the grand jury provision. The Minnesota people are apparently thoroughly convinced that no important safeguard has been done away with in thus abolishing what has become a merely advisory body.

The New Orleans Times-Democrat comments:

"If it should happen that the method of information to the court by the prosecuting officer or examining magistrate, or whatever other method may be devised in

Minnesota, should prove genuinely superior to the grand jury, it is just possible that some other States might conclude to cut loose from antiquity and adopt the plan that promises better results."

A scandal "beside which the postal frauds will seem like the work of pretty-larceny thieves" is anticipated by the New York Press as a result of recent charges made in connection with the administration of public lands in Oregon, Idaho, and California. Legal proceedings have already been instituted against United States Senator Mitchell and Representatives Hermann, both of Oregon, and Mr. John H. Hall, United States district attorney of Oregon, has been removed from office by the President. The significance of this new governmental crusade is thus gaged by the Boston Transcript.

"What is now in progress is but another stage of a series of inquiries which have had results in a number of arrests, in several indictments, and some convictions. For more than a year past the Government has been active in the prosecution of a ring of 'operators' who by various fraudulent methods thought they had succeeded in gathering to themselves considerable section of the public domain mainly in the Pacific Northwest. Their operations were engineered from several points contemporaneously. They had their representatives or agents in New York, in Washington, in Oregon, and in California, and, of course their accomplices, without whose aid they could have done little toward carrying out their schemes, were dishonest officials.

"Some of these officials have been indicted and others have been convicted, but the suggestion of despatches from Oregon is that the great patrons, the real bosses, are 'higher up.' The hope is natural that the inquiry will climb to the highest points of vantage on which the great beneficiaries and secret promoters of these frauds have relied for safety."

The Chicago Daily News supplies the following further information: "Fraudulent practices in connection with the distribution of government lands have been common in the past, and the opportunities for them have been abundant. In erecting the national domain into States and Territories the federal Government in many cases reserved immense tracts of land to be used in such manner as it might deem wise. In all, the domain thus acquired and placed under the jurisdiction of Congress covers a vast territory. The much of it has been taken up by Indian reservations, preemption or sale, about 1,070,000,000 acres still remain, of which 917,000,000 are unappropriated and unreserved. The total value of this territory has been estimated at about \$1,000,000,000. In distributing these lands to individuals the Govern-

ment has tried different plans. The common method of distribution now is that provided for under the homestead act, whereby persons who have certain qualifications and who can show that they have entered upon land for its occupation and improvement in accordance with the terms of the law can receive a patent or deed to the land, paying only a nominal fee. In such cases the land-seekers file their applications with local officials representing the government land office. After investigation these officials issue certificates attesting the validity of the claim and these certificates are sent to Washington to be passed upon finally.

"The charge against Senator Mitchell and Congressman Hermann is that, in collusion with certain claimants, they conspired to expedite to patent certain certificates that were fraudulent or fictitious, using their official influence to that end. Whatever the truth may be, the fact that the Government, in its effort to stop land frauds, does not hesitate to strike at high officials if it finds ground for such action should have no little restraining effect on the politicians who have made such frauds a specialty."

Senator Mitchell is the third Senator within a year to be indicted for crime. He was elected to the Senate in 1873, and has represented his State at Washington for the greater part of twenty-two years. Says the Kansas City Journal:

"It has created much surprise and regret that such an old, experienced, and respected statesman as John H. Mitchell should be mixed up in land frauds and be compelled to stand trial before a jury in the federal court of crimes which, if proved against him, may possibly make him spend the rest of his life behind prison walls. The Senator is now over seventy years of age. There is hardly enough time or energy left in him to make amends for any crime he may be guilty of, or to rehabilitate his reputation if the suspicions and charges against him should be proved. But an indictment does not always mean conviction or guilt, and the Oregon statesman will not be regarded as an evildoer until he is so adjudged on a fair trial.

"A few decades ago the position of the United States Senator was looked upon as so dignified and exalted that it protected the incumbent even from reproach. Many Senators have shown political bias and bad judgment, but the number who have been impugned for personal dishonesty has been very small. In recent years, however, the Senate seems to be falling somewhat in the estimation of the people. A man is no longer considered great and honorable merely because he is a Senator. His position simply gives him a fine opportunity to prove himself as such, and in some cases the most has not been made of this opportunity."—Digest.

### Duty On Pineapples.

Washington, D. C., Jan. 16th.—Assistant Secretary of the Treasury Armstrong has informed Secretary Atkinson of the intention of the Department to stand by the decision of Judge Morrow in the United States District Court of California, which virtually reduces the duty on imported canned pineapples, containing added sugar. This is of considerable importance to the pineapple industry in the Hawaiian Islands. Mr. Armstrong said an opinion of the Attorney Gen-

## THE CZAR SANCTIONS FORMATION OF SENATE

Russia's Ruler Puts Stop to Arbitrary Actions  
of Ministers and Other Officials. Oki  
Now Preparing For Land Battle.

## THE MARQUIS OF LINLITHGOW, SECRETARY

Middle and Northern States Suffering From Severe Cold.  
Secretary Taft Asks Congress to Pass Philippine  
Tariff Bill An Attempt on Life of a Prince.

(Special by Wireless to THE NEWS.)

General Oki's Headquarters, Feb. 3.—There has been occasional firing and both armies are preparing for a battle. The weather has moderated to 13 degrees below zero.

St. Petersburg, Feb. 3.—The Czar has sanctioned the proposal for the establishment of a Senate to check the evils arising from the arbitrary acts of the Ministers and other officials.

London, Feb. 3.—The Marquis of Linlithgow has been appointed secretary for Scotland.

Washington, Feb. 3.—Secretary of Navy Taft in an exhaustive letter has urged Congress to pass a Philippine Tariff bill.

Chicago, Feb. 3.—The northwestern and middle states are suffering from a blast of cold weather. The thermometer registers 14 degrees below zero at Chicago.

Sugar 5-24; Beets 15s-9d.

Washington, D. C., Jan. 31.—The House Committee on Interstate and Foreign Commerce will report a bill abolishing the Panama Canal Commission and placing the work in the hands of the President.

Warsaw, Russia, Jan. 31.—The mobs of strikers are pillaging shops and industrial concerns have closed. One hundred persons have been killed and wounded.

Tokio, Japan, Jan. 31.—Oyama reports that the Russians left 1,200 dead on the field since the 25th.

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eral has been asked and received, advising the Department to proceed on the basis of the recent decision rather than to wait till after the case in question has been decided by a higher court.

Heretofore the duty on canned pineapples has been one cent a pound, plus 35 per cent ad valorem, sufficient to protect the Hawaiian packers from competition from Singapore and the West Indies, except in the cheaper grades of goods. Under this interpretation of the law canned pineapples have been rated as fruit preserved. Under the decision of the court, canned pineapple will be admitted under the same rate as pineapple preserved in its own juice without any added sugar. The rate on that article is only 25 per cent ad valorem, without any specific duty on the weight of the goods. The value of Singapore pineapple at the point of shipment is very low and accordingly the duty will be but little to Singapore packers, and therefore affords but little protection to the Hawaiian packers. The difference will be about 60 cents a case.

### To Inspect Maui Lands.

Honolulu, Jan. 31.—Commissioner of Public Lands J. W. Pratt this morning gave a resume of the work he intends to do on his coming trip to Maui. He intends to inspect a certain tract of government land at Keanae, which is shortly to be

St. Petersburg, Russia, Jan. 31.—The Russians continue to hold the villages captured from the Japanese forces in Manchuria.

Tokio, Japan, Jan. 31.—The Japanese have captured the British steamer Mayfield loaded with contraband for Vladivostok.

Sacramento, Jan. 31.—Senators Emmons, Wright, Brunkers and French are charged with accepting \$350 each to render a favorable report on the Continental Building and Loan Society.

Paris, Jan. 31.—A bomb has been discovered in the residence of Prince Troubetskoy, the Russian diplomat.

At an anti-Russian meeting last night a bomb was thrown at the police.

Warsaw, Jan. 31.—The governments of Warsaw, Lodz and Petrokoff are under military rule. A food famine is prevailing.

Manila, Jan. 31.—The ladrones have committed atrocities on Americans. Several sympathizers with peace and justice have been killed. The ladrones have offered rewards for the assassination of officials. The troops are hotly pursuing them.

London, Jan. 31.—Russia is negotiating for the construction of warships in England, Germany and the United States.

Washington, Jan. 31.—An agreement has been reached in Congress to vote on the joint Statehood resolution on February 7. Probably Oklahoma and Indian Territory will be admitted jointly, New Mexico separately and Arizona left as it is.

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opened up for homesteads on the regular 999 year lease basis. For some time past there has been a general request that these lands be opened for settlement, no less than seventy applications having been received.

Another matter, which Mr. Pratt will look into, is the cutting up of the Kahakuloa tract, which will be cut up for grazing lands. He will also inspect the Omaopio lands, between Hana and Kipahulu, which, it has been proposed should be opened for settlers for the purpose of cultivating sisal. Finally there are some small pieces of Government land at Lahaina which the Land Commissioner intends to look up.

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